

## AMENDMENTS TO THE CLAIMS

**1. (currently amended)** A servo position adjustment method for recording to an information recording medium; in which a plurality of tracks are formed concentrically or spirally; and the recording side of the tracks is irradiated with an optical beam to record user data ~~in marks and the spaces between marks~~, said method comprising:

a first servo position adjustment step;

a recording step of recording a predetermined signal ~~under the effect of the~~after first servo position adjustment;

a reproduction step of reproducing the predetermined signal recorded in said recording step; and

a second servo position adjustment step of performing a second servo position adjustment based on the reproduction of the predetermined signal. ~~by reproducing the track where the predetermined signal was recorded.~~

**2. (currently amended)** The servo position adjustment method according to claim 1, wherein ~~said~~the first servo position adjustment step comprises adjusting a servo position on a basis of a first evaluation index, and

wherein said~~the~~ second servo position adjustment step ~~comprises~~are steps of adjusting a servo position on the basis of a second~~different~~ evaluation index~~indices~~.

**3. (currently amended)** The servo position adjustment method according to claim 2, wherein the basis for adjusting a servo position in said~~the~~ first servo position adjustment step is ~~a step of adjusting a servo position so as to optimize the first~~an evaluation index with respect to tracking error.

**4. (currently amended)** The servo position adjustment method according to claim 2, wherein the basis for adjusting a servo position in said~~the~~ second servo position adjustment step is ~~a step of adjusting a servo position so as to optimize the second~~an evaluation index with respect to a reproduction signal in a predetermined reproduction signal processing

method.

**5. (currently amended)** The servo position adjustment method according to claim 4,  
wherein the second ~~evaluation index is~~~~servo position adjustment step is a step of~~  
~~adjusting a servo position so as to minimize a PRML error index M, and~~  
wherein optimizing the second evaluation index comprises minimizing the PRML error  
index M.

**6. (currently amended)** The servo position adjustment method according to claim 1,  
wherein at least one of adjustments of focal position, lens tilt position, and spherical  
aberration position is performed in ~~said~~~~the~~ first servo position adjustment step or ~~said~~~~the~~ second  
servo position adjustment step.

**7. (currently amended)** The servo position adjustment method according to claim 1,  
wherein recording conditions in ~~said~~~~the~~ recording step are determined by test recording.

**8. (Original)** The servo position adjustment method according to claim 7,  
wherein the recording conditions include conditions for pulse position and/or laser  
irradiation power in recording the predetermined signal.

**9. (currently amended)** A servo position adjustment device for adjusting a servo position  
in the course of recording to an information recording medium, in which a plurality of tracks are  
formed concentrically or spirally, and the recording side of the tracks is irradiated with an optical  
beam to record user data ~~in marks and the spaces between marks~~, said device comprising:

a first servo position adjustment unit operable to perform a first servo position  
adjustment;

a recording unit operable to record a predetermined signal under the effect of the~~after~~ first  
servo position adjustment; and

a second servo position adjustment unit operable to reproduce the predetermined signal  
recorded by said recording unit and to perform a second servo position adjustment based on the  
reproduction of the predetermined signal.~~by reproducing the track where the predetermined~~

signal was recorded.